



CITY OF DURHAM | NORTH CAROLINA

Date: December 18, 2014

To: Thomas J. Bonfield, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Kevin Dick, Director, Office of Economic and Workforce Development

Subject: U.S. Environmental Protection Agency 2014-2017 Brownfields Community-Wide Assessment Grant For Northeast Central Durham And Other Targeted Areas Grant Project Ordinance And Authorization To Execute Grant Agreement

Executive Summary

On October 16, 2014, the City of Durham's Office of Economic and Workforce Development was awarded a new \$399,999.00 grant from the U.S. Environmental Protection Agency's (EPA) Brownfields Assessment program. Partial funding of the \$399,999.00 grant award in the amount of \$199,999.00 was initially provided. The U.S. Environmental Protection Agency has since confirmed their ability to provide the remaining \$200,000.00 before December 1, 2014. Funding has been provided to conduct Phase I and Phase II environmental assessments at properties in Northeast Central Durham (NECD) and other targeted areas of the city where property redevelopment and/or reuse may be complicated by the potential presence of hazardous and petroleum-based substances. The Office of Economic and Workforce Development seeks City Council approval on this item.

Recommendation

Staff recommends that the City Council authorize the City Manager to accept the EPA Brownfields Assessment grant award by executing the grant documents and adopting EPA Brownfields Assessment Grant Project Ordinance 2014-2017 in the amount of \$399,999.00.

Background

The City of Durham had previously received an EPA Brownfields Assessment Cooperative Agreement in 2006, and an additional American Recovery and Reinvestment Act Brownfields Community-Wide Assessment Cooperative Agreement in 2009. Both projects were successful.

The City of Durham again applied to the EPA for new Brownfields Assessment funding through the Office of Economic and Workforce Development on January 22, 2014. The

January 2014 grant request was for \$200,000.00 for hazardous substances and \$200,000.00 for petroleum substances.

On August 28, 2014, the City of Durham received preliminary notice of selection as one of the entities with which the EPA would begin negotiations with to award cooperative agreements for new community-wide assessment grants comprising \$199,999.00 for hazardous substances and \$200,000.00 for petroleum substances, together totaling \$399,999.00. The grant was formally awarded on October 16, 2014.

Past Community-wide Brownfields Assessment grants for the NECD corridor successfully spearheaded the process of creating community awareness, identifying brownfields sites, assessing environmental concerns, and the revitalization of NECD. Activities under the current grant will focus on continuing these efforts

As in prior years, the new grant will be used for public engagement, site inventory, environmental assessment, and cleanup/redevelopment planning activities to support the redevelopment of brownfields properties in NECD, as well as in other targeted areas of the city.

Specifically, funds from the EPA Brownfields Assessment grants will be used to conduct the following:

Administrative Oversight – Project Management and Reporting

- Monthly Progress Reports
- Quarterly Progress Reports
- Final Performance Report
- DBE/MBE/WBE Utilization Reports
- City Council Presentations

Task 1 – Community Engagement

- Publish community service announcements in local media to keep local residents informed of planned community meetings and project updates.
- Meet quarterly with the Brownfields Task Force to help guide the project.
- Coordinate and facilitate public meetings (semi-annual) to obtain input regarding potential sites and sustainable and beneficial re-use options.
- Present at City Council meetings (semi-annual) to provide updates on project activities to City leaders.
- Visit with community groups and neighborhood associations at their locations to gather input and develop ideas.
- Develop a project brochure and fact sheet that will highlight goals and objectives, review the site-selection process, explain events that will occur in the program, and provide contact names and information on how to get involved in the project.
- Update project website as an information repository where project updates and information can be posted.

Task 2 - Site Inventory and Characterization

- Site Inventory - Updated Site Inventory/Portfolio/GIS Maps
- Site Characterization - Phase I Environmental Site Assessments
- Threatened and Endangered Species Investigation and Inventory
- Site Characterization - Phase II Environmental Site Assessments
- Quality Assurance Project Plan (QAPP)
- Site-specific QAPP Addendum
- Health and Safety Plans (HASPs)

Task 3 - Cleanup Planning

- Analysis of Brownfields Cleanup Alternatives Document
- Facilitation of Visioning or Redevelopment Workshops
- Negotiation of Brownfields Agreements with NCDENR

This new Grant Project Ordinance must be adopted in order for the City to receive the new funding.

Hazardous Substances	\$199,999.00
Petroleum Substances	\$200,000.00
Total	\$399,999.00

New funds in the City of Durham U.S. EPA Brownfields Assessment 2014-2017 Grant Project Ordinance are federal funds allocated to the City of Durham by the United States Environmental Protection Agency. The EPA authorizes the use of these funds to conduct brownfields assessment activities community-wide with a primary focus on NECD.

Issues/Analysis

Although we have made significant progress as a part of past grants, two significant problems have been encountered: (1) the number of potentially hazardous substance contaminated brownfields properties identified through inventory and outreach efforts that are in need of environmental assessment activities exceeded available funding, and (2) the inability to address petroleum contaminated properties under the City's previous hazardous substance assessment grant due to the terms and conditions. With this new funding and project, these obstacles will be mitigated and brownfields revitalization efforts will be expanded.

The ultimate goal of the Brownfields Assessment Grant is to take advantage of strategic development opportunities and future growth potential as reflected by the City's numerous investment efforts in Downtown and NECD to return brownfields properties in the study area to productive commercial and mixed-use properties. Besides safely restoring the brownfields properties to productive use, the Brownfields Grant, coupled with the recent Angier-Driver Streetscape Improvement Project and similar revitalization efforts in and around communities surrounding Downtown, will help to build stronger, safer, and healthier neighborhoods, generate jobs, provide social sustainability, complement existing housing revitalization efforts, provide community shopping opportunities, and provide a catalyst for further development in NECD and the rest of the City.

Alternatives

City Council may choose not to approve the Grant Project Ordinance.

If City Council chooses not to approve the Grant Project Ordinance, the Office of Economic and Workforce Development would not be able to continue assessing the properties for potential contamination nor implement the vision outlined in the Issues/Analysis section.

Financial Impact

This item will have no impact on the City's general fund.

SDBE Summary

No compliance review was conducted in accordance with Ordinance to Promote Equal Business Opportunities in City Contracting.

Attachments

U.S. Environmental Protection Agency 2014-2017 Brownfields Community-Wide Assessment Grant for Northeast Central Durham and other Targeted Areas Grant Project Ordinance

Grant Award Notice – U.S. Environmental Protection Agency Cooperative Agreement (Partial)

Grant Award Notice – U.S. Environmental Protection Agency Cooperative Agreement (Amended)